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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Ivarie et al.)
Serial No: 10,733,042)
Filed: December 11, 2003)
For: Avian Transgenesis Using a Chicken Ovalbumin Gene Region

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby voluntarily discloses the items listed on the attached Form PTO-1449 to the Commissioner for Patents. Copies of items A and B are enclosed herewith.

Copies of the references listed on the attached Form PTO-1449 are being submitted at this seemingly late date because they were only recently brought to our attention as a result of foreign prosecution; a certification, as specified in paragraph (e) of 37 CFR 1.97, is enclosed herewith.

Applicant further reserves the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that some of the cited information may not be prior art, and/or to prove that some of the cited information may not be enabling for the teachings they purport to offer. This statement further should not be construed as the representation that an exhaustive search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely

on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of the information, and to form independent opinions as to their significance.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

Respectfully submitted,

7/21/04

Date


D. Scott Sudderth
Reg. No. 34,026

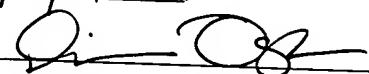
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Docket No.: U022 1060.1

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7/21/04





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37 CFR 1.97(e) CERTIFICATION

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

This certification is being submitted, in accordance with 37 CFR 1.97, with the Information Disclosure Statement enclosed herewith. Each reference cited by the Information Disclosure Statement was cited in a communication from a foreign patent office regarding a related foreign application. The communication from the foreign patent office was not received more than three months prior to the submittal of this certification.

Respectfully submitted,

D. Scott Sudderth
Reg. No. 34,026

7/21/04

Date

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